FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7952 OF 2004

Office Notes, Office Memoranda appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Order

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Mr.M.S.Lagu, for Petitioners.

CORAM: D.K.DESHMUKH,J.

DATED: 13th July, 2005.

P.C.:-

Both the Courts below on finding prima facie that the plaintiff is in possession, has granted temporary injunction for protecting the possession of the plaintiff. It was submitted before me that the description of the suit property is not properly given in the plaint. This aspect of the matter has been considered by the Appeal Court and it has been held that the description

of the property is properly given. Even if there is some confusion that confusion would be in relation to particular Hissa of Survey no.1, and therefore, probably the objection can be raised by one of the part holders of Survey no.1. The defendants-petitioners who admittedly do not hold any part of Hissa no.1, cannot raise objection to insufficient description of the suit property in the plaint. I do not see any patent error of Law in the order impugned. Hence, the petition is disposed of.